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NEWS RELEASE

Release Number: 31

Release Date: May 25, 2007

Supreme Court Approves Live Broadcast of Sentencing Cases in San Francisco

California Channel to Offer Satellite Coverage of Three Cases

San Francisco—As part of its effort to improve public access to state courts, the California Supreme Court has approved a live television broadcast of three cases next week, including two involving California's criminal sentencing law, which was declared unconstitutional by the U.S. Supreme Court earlier this year. (*Cunningham v. California* (2007) 127 S.Ct. 856.)

The session will be held from 9 a.m. to 12 noon on Tuesday, May 29, 2007, as part of the court's late May calendar session in the Supreme Court Courtroom, Earl Warren Building, Fourth Floor, 350 McAllister Street, San Francisco.

The broadcast is made possible by California Channel, a public affairs cable network with 5.6 million viewers statewide (<http://www.calchannel.com>), and an audio-visual team from the Administrative Office of the Courts. California Channel will offer live satellite coverage for other networks and TV stations.

The cases to be televised involve the following legal issues, among others:

1) Viva! International Voice for Animals et al. v. Adidas Promotional Retail Operations et al., S140064

This case concerns whether California may prohibit the importation and trade of wildlife that have been delisted under the federal Endangered Species Act and thus are not currently regulated by federal law.

(over)

(2) *People v. Black (Kevin Michael)*, S126182

This case presents issues including (1) whether, under *Cunningham v. California* (2007) 127 S.Ct. 856, the right to a jury trial is violated if the upper sentencing term is imposed but there exists at least one valid “aggravating circumstance” based upon a jury finding or the defendant’s prior convictions, and (2) whether *Cunningham* applies to the imposition of consecutive sentences.

(3) *People v. Sandoval (Aida)*, S148917

This case presents issues including (1) whether, under *Cunningham v. California* (2007) 127 S.Ct. 856, the imposition of the upper term violated the right to a jury trial, and, if so, (2) whether the error was harmless, and whether the “determinate sentencing law” should be judicially reformed to render it constitutional.

To view the Supreme Court's complete calendar with case summaries, please see this link on the California Courts Web site at

<http://www.courtinfo.ca.gov/courts/calendars/documents/SMAY29A.DOC> .

The Supreme Court is the highest court in California, and its decisions are binding on all other state courts. The court holds oral argument throughout the year in San Francisco, Los Angeles, and Sacramento. Once a year, the court also holds oral argument in an additional location as part its annual court-community outreach program.

For more information, please visit the Supreme Court’s Web site at

<http://www.courtinfo.ca.gov/courts/supreme/>. The court’s Practices and Procedures Handbook is available online at <http://www.courtinfo.ca.gov/courts/supreme/iopp.htm> .

Note to Media: For reserved press seating, the news media should contact Lynn Holton at lynn.holton@jud.ca.gov or Daisy Yee at daisy.yee@jud.ca.gov by 11 a.m. Monday, May 28.

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